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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/082,077

02/26/2002

Shih-Hsiung Ni

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32294 7590 04/24/2007
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EXAMINER

SHAH, CHIRAG G

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

04/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/082,077

Applicant(s)

NI, SHIH-HSIUNG

Examiner

Chirag G. Shah

Art Unit

2616

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10/27/2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-57.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.


CHIRAG G. SHAH
PRIMARY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues that the Office Action cited scheduler 116 of Lee as corresponding to the claimed "a look-ahead logic module configured to select an address of a first memory bank of an external memory device" Examiner respectfully disagrees and redirects Applicant to Lee reference specifically to figs 1 and 2. System Controller 100 includes intelligent scheduler 116 and the multimemory bank 114 is not a part of the system controller 100, the multimemory 114 is thus external to the system controller 116 comprising cited scheduler 116. Applicant further argues Lee also fails to disclose or suggest at least a pointer assignment module, connected to the look-ahead module, is configured to include an independent link list assigned exclusively to the first memory bank and to assign a pointer to the data packet based upon the first memory banks determined by the look-ahead logic. Examiner respectfully disagrees and redirects Applicant to the Lee reference, specifically col. 3, lines 43-55, fig. 2 and col. 3, lines 33-61, where free buffer pool serves as a pointer assignment module identifying address pointers P1-P4, the next available address in each of the memory banks B1-B4. Furthermore, figure 2 clearly establishes that the scheduler 116 is connected to the buffer pool (pointer assignment module). Applicant additionally argues that claims 8-11, 30, 44 and 52-56 are improperly rejected based on allegedly admitted prior art and AIPA does not disclose or suggest the elements of the claims. Examiner respectfully disagrees, the specification clearly admits in paragraphs 0005-0006 of Rambus DRAM (RDRAM) existing and further goes on to admit that in a RDRAM system, the remapping of the addresses is achieved by swapping predetermined bits of the memory address. This admitted disclosure clearly suggests the limitation and the logical motivation to avoid contention is also provided. Thus, based on the logical response provided in addition to the references and office action issued, the claims respectfully remain rejected. .